

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

DOCKET NO: 3:17cr306-FDW

UNITED STATES OF AMERICA ) AMENDED FINAL ORDER  
                                  ) OF FORFEITURE OF 15 W POLK ST.  
v.                              ) AND 21 W POLK ST., POLKTON, N.C.  
(5) WALTER CLIFTON MARTIN, JR., )

This matter is before the Court on the United States' Motion, pursuant to Federal Rules of Criminal Procedure 36, requesting the court amend the Final Order of Forfeiture for 15 West Polk Street, Polkton, North Carolina and 21 West Polk Street, Polkton North Carolina (the "Properties") entered on April 1, 2019 (Doc. 323) to correct the legal description of the Properties. For good cause shown, this Court hereby GRANTS to Motion;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that, pursuant to Rule 36 of the Federal Rules of Civil Procedure, the Final Order of Forfeiture is hereby amended to forfeit all right, title and interest in the following property to the United States free and clear of all interests:

**15 West Polk Street, Polkton, North Carolina, more particularly described as follows:**

A certain tract or parcel of land in Lanesboro Township, Anson County, North Carolina, and more particularly described as follows:

BEING on the west side of Polk Street in the Town of Polkton, North Carolina, and BEGINNING at an iron stake, formerly Smith's corner, and runs with Polk Street 24 feet to R.G. Austin's corner; thence with Austin's line 76 feet to a stake; thence a line parallel with Polk Street 24 feet; thence N. 24 1/4 E. 76 feet to the beginning. There is on this lot a brick store building, formerly owned by Harris, said lot having been conveyed to A.L. Caudle by John W. Covington, Jr. et al, by deed dated

November 14, 1944, duly recorded in the Office of the Register of Deeds for Anson County, North Carolina, in Deed Book 97, at Page 292, and being also the same lot conveyed to Paul H. Dabbs and wife, Mary G. Dabbs, by deed dated March 19, 1946, by A.L. Caudle, widower, said deed duly recorded in Deed Book 100, at Page 535, to which reference is hereby made.

The same also being that identical lot of real estate conveyed by Joe W. Martin, unmarried to W. Cliff Martin by deed dated the 14<sup>th</sup> day of August, 1956, and duly recorded in the Anson County Registry, reference to which is hereby made.

The same being that identical property conveyed by Isaac W. Martin, widower, to Joe W. Martin by deed dated January 20, 1972, and recorded in Deed Book 173, Page 522, Registry of Anson County.

Reference is made to Deed Book 238, Page 32, Anson County Registry.

**21 West Polk Street, Polkton, North Carolina, more particularly described as follows:**

BEING all that certain lot or parcel of real property lying in the City of Polkton, Lanesboro Township, Anson County, North Carolina, and more particularly described as follows:

BEGINNING at a stake in the Southern edge of Polk Street, and runs Southerly at a right angle from said street 76 feet; thence Easterly parallel with said street 24 feet; thence Northerly 76 feet to Polk Street; thence with said street to the beginning.

The same being the lot upon which is located the brick store building used and occupied by the late R.G. Austin, and now being used and occupied by Thomas Ballard and a store building.

Being also the identical lot real estate conveyed to Glen T. Austin by Banks D. Thomas, Commissioner, by Commissioner's Deed dated April 25, 1945, which is duly recorded in the Office of the Register of Deeds for Anson County in Deed Book 98 at Page 426, to which reference is also hereby made.

W.T. Ballard died on or about March 8, 1981.

Reference is made to Estate file 81 E 51 in the Office of the Clerk of Superior Court of Anson County.

Reference is made to Estate file 95 E 140. The above property was devised to William T. Ballard, Jr. under III(A), Last Will and Testament of Sue Carter Ballard.

Reference is also made to Book 141, Page 425, Anson County Registry.

No right, title or interest in the Properties shall exist in any other party;

IT IS FURTHER ORDERED THAT all other terms of the Final Order of Forfeiture entered on April 1, 2019 (Doc. 323) remain unchanged;

IT IS FURTHER ORDERED THAT the Court shall retain jurisdiction in the case for the purpose of enforcing this Amended Final Order of Forfeiture.

SO ORDERED.

Signed: August 18, 2020

  
Frank D. Whitney  
United States District Judge